

IN THE UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF PENNSYLVANIA

In Re:	:	Case No. 17-23825 JAD
	:	
Christopher A. Stone and Brittanie N. Stone,	:	Chapter 13
	:	
Debtors,	:	Related to Doc. # 93
	:	
Christopher A. Stone and Brittanie N. Stone,	:	
	:	
Movants,	:	
	:	
vs.	:	
	:	
No Respondents.	:	

CONSENT ORDER TO APPROVE POST
PETITION AUTOMOBILE FINANCING

AND NOW COME the Debtors, Christopher A. Stone and Brittanie N. Stone, by their counsel, Zebley Mehalov & White, P.C. and Daniel R. White, Esquire, and Chapter 13 Trustee, Ronda J. Winnecour, by her counsel, Kate DeSimone, and files the within Consent Order to Approve Post Petition Automobile Financing representing as follows:

1. This Consent Order is being sought on an emergency basis as Debtors' vehicle, a 2015 Ford F-150, has become unreliable and very expensive to repair. This vehicle is used daily in Debtors' transportation for employment and with family.
2. Movants are the Debtors in this Chapter 13 Bankruptcy proceeding having filed a Voluntary Chapter 13 petition on September 25, 2015.
3. The Debtors have a confirmed Chapter 13 plan dated August 25, 2020, which provides for a distribution to unsecured creditors with a plan payment of \$1,560.00 per month.
4. The Debtors have paid the Trustee over \$69,000.00 to date, and payments are being remitted to the Chapter 13 Trustee by wage attachment by Debtor's employer. Debtors are in month 49 of a 66 month plan and their plan payments are current.
5. The Debtor is seeking secured financing in order to purchase an automobile to replace Debtors' 2015 Ford F-150.

Based upon the foregoing, and for good cause shown, it is hereby **ORDERED, ADJUDGED,** and **DECREED** that:

1. The Debtors' *Motion* is **GRANTED** as provided by the terms of this *Order*. Debtors are authorized to obtain secured financing for the purchase of a replacement vehicle on the following terms:

- (a) the total amount of financing shall not exceed \$25,000.00 and interest rate should not exceed 20%; and
 - (b) the monthly payments made under the financing agreement **shall not exceed** \$500/per month.
- 2. To the extent that Debtors secure financing for the purchase of a new vehicle, such payments **shall be made through the chapter 13 plan**. Within **30 DAYS** of securing such financing, Debtors shall file:
 - (a) an amended chapter 13 plan; and
 - (b) a report of financing.
- 3. To ensure the prompt and timely payment of the automobile loan, Debtors shall make a supplemental payment to the chapter 13 trustee **within 7 days** of filing the report of financing (and each month thereafter as necessary) in an amount sufficient for the trustee to cover the installments due on the loan. The supplemental payments shall be in addition to the regular plan payment, pending confirmation of the amended plan.
- 4. Pending confirmation of any amended plan providing for the new postpetition loan payments, the trustee is authorized to make monthly adequate protection payments to the POSTPETITION AUTOMOBILE LENDER for the contract amount so long as sufficient supplemental funds are provided by Debtors.
- 5. Notwithstanding the inclusion of the postpetition loan within an amended chapter 13 plan, the underlying terms of the loan shall not be modified absent the consent of the POSTPETITION AUTOMOBILE LENDER.
- 6. Debtors shall serve copies of this *Order* on all creditors eligible to receive distributions through the chapter 13 plan and file proof of the same with the Court.

ZEBLEY MEHALOV & WHITE, P.C.

/s/ Daniel R. White

Daniel R. White
PA I.D. No. 78718
P.O. Box 2123
Uniontown, PA 15401
Telephone: 724-439-9200
Facsimile: 724-439-8435
Attorney for Debtors
Email: dwhite@Zeblaw.com


OFFICE OF THE CHAPTER 13 TRUSTEE

/s/ Ronda J. Winnecour

Ronda J. Winnecour
Chapter 13 Trustee WDP
U.S. Steel Tower-Suite 3250
600 Grant Street
Pittsburgh, PA 15219
412-471-5566

Prepared by: Daniel R. White, Esquire

Dated: October 21, 2021


Honorable Jeremy A. Dellor
UNITED STATES BANKRUPTCY JUDGE

Case Administrator to Mail to:
Debtor(s)
Counsel for Debtor(s)
Ronda J. Winnecour, Esq.
Office of the U.S. Trustee

In re:
Christopher A. Stone
Brittanie N. Stone
Debtors

Case No. 17-23825-JAD
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2
Date Rcvd: Oct 21, 2021

User: dkam
Form ID: pdf900

Page 1 of 2
Total Noticed: 1

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Oct 23, 2021:

Recip ID	Recipient Name and Address
db/jdb	Christopher A. Stone, Brittanie N. Stone, Route 21 Mobile Home Park--Lot 19, Carmichaels, PA 15320

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Oct 23, 2021

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on October 21, 2021 at the address(es) listed below:

Name	Email Address
Brian Nicholas	on behalf of Creditor NBS Harley-Davidson Credit Corp bnicholas@kmlawgroup.com
Brian Nicholas	on behalf of Creditor Harley-Davidson Credit Corp bnicholas@kmlawgroup.com
Daniel R. White	on behalf of Debtor Christopher A. Stone sheila@zeblaw.com;r63228@notify.bestcase.com;elisa@zeblaw.com;gianna@zeblaw.com
Daniel R. White	on behalf of Joint Debtor Brittanie N. Stone sheila@zeblaw.com;r63228@notify.bestcase.com;elisa@zeblaw.com;gianna@zeblaw.com
Garry Alan Masterson	on behalf of Creditor Ford Motor Credit Company LLC pitecf@weltman.com
James P. Valecko	on behalf of Creditor Ford Motor Credit Company LLC jvalecko@weltman.com PitEcf@weltman.com

Office of the United States Trustee

District/off: 0315-2

User: dkam

Page 2 of 2

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ustpreion03.pi.ecf@usdoj.gov

Ronda J. Winnecour

cmecf@chapter13trusteedpa.com

William E. Craig

on behalf of Creditor Santander Consumer USA Inc. ecmail@mortoncraig.com
mhazlett@mortoncraig.com;mortoncraigecf@gmail.com

TOTAL: 9